

FILED

August 21, 2024

SEALED

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
By: RR Deputy

Case No: SA:24-CR-00414-JKP

UNITED STATES OF AMERICA

Plaintiff

v

**(1) JOEL ALEJANDRO
MARTINEZ a/k/a Bo Jackson
(2) MARGARITA HERNANDEZ
MARTINEZ**

Defendants

INDICTMENT

**COUNT 1: 18 U.S.C. § 933
Firearm Trafficking**

**COUNT 2: 18 U.S.C. §922(j)
Possession of a Stolen Firearm**

**COUNT 3: 18 U.S.C. § 933
Firearm Trafficking**

**COUNT 4: 18 U.S.C. §922(j)
Possession of a Stolen Firearm**

**COUNT 5: 18 U.S.C. § 933
Firearm Trafficking**

**COUNT 6: 18 U.S.C. §922(j)
Possession of a Stolen Firearm**

THE GRAND JURY CHARGES:

**COUNT ONE
[18 U.S.C. § 933]**

On or about the 5th day of March, 2024, in the Western District of Texas, the defendant,

(1) JOEL ALEJANDRO MARTINEZ, a/k/a “Bo Jackson,”

did ship, transport, transfer, cause to be transported, or otherwise dispose of at least one firearm,
to wit: a Taurus model G2C pistol, 9mm caliber, serial number TMT64620, a Taurus model G2C

pistol, 9mm caliber, serial number TLX76235, a Ruger model P95 pistol, 9mm caliber, serial number 317-92544, and a Ruger model SR9C pistol, 9mm caliber, serial number 334-97308, to another person in or otherwise affecting commerce, knowing or having reasonable cause to believe that the use, carrying, or possession of the firearm by the recipient would constitute a felony, to wit: smuggling goods from the United States and possession of a stolen firearm, all in violation of Title 18, United States Code, Section 933(a)(1).

COUNT TWO
[18 U.S.C. § 922(j)]

On or about the 5th day of March, 2024, in the Western District of Texas, the defendant,

(1) JOEL ALEJANDRO MARTINEZ, a/k/a “Bo Jackson,”

knowingly possessed at least one stolen firearm, to wit: a Taurus model G2C pistol, 9mm caliber, serial number TMT64620, a Taurus model G2C pistol, 9mm caliber, serial number TLX76235, and a Ruger model P95 pistol, 9mm caliber, serial number 317-92544, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the firearm was stolen, in violation of Title 18, United States Code, Sections 922(j) and 924(a)(2).

COUNT THREE
[18 U.S.C. § 933]

On or about the 18th day of March, 2024, in the Western District of Texas, the defendants,

(1) JOEL ALEJANDRO MARTINEZ, a/k/a “Bo Jackson,”
(2) MARGARITA HERNANDEZ MARTINEZ,

aided and abetted by each other, did ship, transport, transfer, cause to be transported, or otherwise dispose of at least one firearm, to wit: a Smith & Wesson model SW9VE pistol, 9mm caliber, serial number DSR6857, a Taurus model PT111 G2 pistol, 9mm caliber, serial number TJR74747, a SCCY model CPX2 pistol, 9mm caliber, serial number 168869, a Norinco model 59 pistol, 9mm

caliber, serial number A01467, and a Ruger model LCR pistol, .38 caliber, serial number 54120689, to another person in or otherwise affecting commerce, knowing or having reasonable cause to believe that the use, carrying, or possession of the firearm by the recipient would constitute a felony, to wit: smuggling goods from the United States and possession of a stolen firearm, all in violation of Title 18, United States Code, Section 933(a)(1) and 2.

COUNT FOUR
[18 U.S.C. § 922(j)]

On or about the 18th day of March, 2024, in the Western District of Texas, the defendant,

(1) JOEL ALEJANDRO MARTINEZ, a/k/a “Bo Jackson,”

knowingly possessed at least one stolen firearm, to wit: a Smith & Wesson model SW9VE pistol, 9mm caliber, serial number DSR6857, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the firearm was stolen, in violation of Title 18, United States Code, Sections 922(j) and 924(a)(2).

COUNT FIVE
[18 U.S.C. § 933]

On or about the 11th day of April, 2024, in the Western District of Texas, the defendants,

(1) JOEL ALEJANDRO MARTINEZ, a/k/a “Bo Jackson,”
(2) MARGARITA HERNANDEZ MARTINEZ,

aided and abetted by each other, did ship, transport, transfer, cause to be transported, or otherwise dispose of a firearm, to wit: an American Tactical model Omni Hybrid pistol, .300 Blackout caliber, serial number NS335927 and a LWRC International model M6 rifle, 5.56x45 mm caliber, serial number 01-03222, to another person in or otherwise affecting commerce, knowing or having reasonable cause to believe that the use, carrying, or possession of the firearm by the recipient would constitute a felony, to wit: smuggling goods from the United States and possession of a

stolen firearm, all in violation of Title 18, United States Code, Sections 933(a)(1) and 2.

COUNT SIX
[18 U.S.C. § 922(j)]

On or about the 11th day of April, 2024, in the Western District of Texas, the defendants,

- (1) JOEL ALEJANDRO MARTINEZ, a/k/a “Bo Jackson,”**
- (2) MARGARITA HERNANDEZ MARTINEZ,**

aided and abetted by each other, knowingly possessed at least one stolen firearm, to wit: a LWRC International model M6 rifle, 5.56x45 mm caliber, serial number 01-03222, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the firearm was stolen, in violation of Title 18, United States Code, Sections 922(j), 924(a)(2), and 2.

NOTICE OF UNITED STATES OF AMERICA’S DEMAND FOR FORFEITURE
[See Fed. R. Crim. P. 32.2]

I.

Firearm Violations and Forfeiture Statutes

**[Title 18 U.S.C. §§ 922(j), 924(a)(2), and 933 subject to forfeiture
pursuant to Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture
by Title 28 U.S.C. § 2461(c)]**

As a result of the criminal violations set forth in Counts Two, Four, and Six, the United States of America gives notice to the Defendants of its intent to seek the forfeiture of certain property upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461(c), which states:

Title 18 U.S.C. § 924. Penalties

(d)(I) Any firearm or ammunition involved in or used in any knowing violation of subsection (j) . . . of section 922 . . . or knowing violation of section 924 . . . or 933 . . . shall be subject to seizure and forfeiture . . . under the provisions of this chapter. . . .

II.

Firearm Violation and Forfeiture Statutes

[Title 18 U.S.C. § 933 subject to forfeiture pursuant to Title 18 U.S.C. § 934(a)(1)(A) and (B)]

As a result of the criminal violation set forth in Counts One, Three and Five, the United States of America gives notice to the Defendants of its intent to seek the forfeiture of certain property upon conviction and pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 934(a)(1)(A) and (B), which state:

Title 18 U.S.C. § 934. Forfeiture and Fines.

(a) Forfeiture. --

(1) In general. -- Any person convicted of a violation of section 932 or 933 shall forfeit to the United States, irrespective of any provision of State law--

(A) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation; and


(B) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation . . .

A TRUE BILL.

FOREPERSON OF THE GRAND JURY

JAIME ESPARZA
UNITED STATES ATTORNEY

BY: _____


Zachary W. Parsons
Assistant U.S. Attorney